

February 10, 2005

Dear Senator Mike Rogers:

I, Calvin Scott, Sr., am a Blind Vendor with Alabama State Rehabilitation Business Enterprise Program(BEP) for the Blind in Montgomery, Alabama. I have been a blind vendor in good standing in this program for the past 29 years.

My assigned work facility is the Gordon Person's State Office Building located at 50 Monroe St in Montgomery, Alabama 36104. I have performed outstanding vendor services in the Gordon Person's State Office Building for the past 9 years of my 29 year career in this business.

Just recently I arrived for work at my assigned building and discovered that the State office building manager had installed electronic card readers on doors that I could not enter because I was not assigned a permanent id card with access to one of my work areas.

When I requested to be granted the same access as any other state employee who works in the same building I was denied access.

This is clearly in violation of Federal Law. Title I of the Americans with Disabilities Act (ADA) requires an employer with 15 or more employees to provide reasonable accommodation for individuals with disabilities, unless it would cause undue hardship. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities.

Furthermore, when I requested assistance from my Blind Enterprise Program representative regarding this act of discrimination I received unsatisfactory results that severely limit my ability to perform my work in my assigned building.

Decisions were made without my knowledge or consent by the Blind Enterprise Program representatives (Director and Assistant Director), the program commissioner, and the State Office Building manager that also are in clear violation of Alabama State Code 1975 §§ 21-1-40 and 21-9-9; 20 U. S. C. § 107 et. Seq.

All of the rules and regulations in the Blind Enterprise Program fall under the above Alabama State Code, Title I of the Americans with Disabilities Act (ADA) , and includes the following taken directly out of the regulation handbook:

795-7-12-.01ER Review - General

795-7-12-.02ER Administrative Review

795-7-12-.03ER Conference with the Commissioner

795-7-12-.04ER Full Evidentiary Hearing

None of the above State Rules, Laws, or Regulations were adhered to. The same State Rules, Laws, and Regulations require that the above steps and/or processes be followed to the letter before any decisions affecting my work environment under this program can be made.

Therefore, I am requesting emergency assistance from Senator Mike Rogers to intervene and force the Blind Enterprise Program (BEP) and it's representatives (Director and Assistant Director), the program commissioner, and the State Office Building manager to cease and assist from making any life changing decisions without my consent and for them to follow the State and Federal Laws currently in place. All of those involved are also violating their individual oaths of office that they are sworn to uphold.

Additionally, I have already filed a complaint with the United States Department of Education Office for Civil Rights, but this could take several weeks if not months for them to get fully involved in this case.

The decisions that were made on Feb. 9, 2005 without my knowledge or consent by the Blind Enterprise Program representatives (Director and Assistant Director), the program commissioner, and the State Office Building manager that also are in clear violation of Alabama State Code 1975 §§ 21-1-40 and 21-9-9; 20 U. S. C. § 107 et. Seq. will ultimately force me out of this vending business within the next 15 days and I need immediate assistance from Senator Mike Rogers to prevent this happening.

In closing, please contact me immediately at (334) 272-2657 so that I may conference with you to discuss this matter in more detail and so that I may continue to work and support my family and myself. I look forward to hearing from you very soon.

Sincerely,
Calvin Scott, Sr.
Blind Enterprise Vendor (BEP)
Gordon Person's State Office Building

Mailing Address:
1416 Marler Road
Pike Road, Alabama 36064
(334) 272-2657

February 10, 2005

Dear Governor Bob Riley:

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In closing, please contact me immediately at (334) 272-2657 so that I may conference with you to discuss this matter in more detail and so that I may continue to work and support my family and myself. I look forward to hearing from you very soon.

Sincerely,
Calvin Scott, Sr.
Blind Enterprise Vendor (BEP)
Gordon Person's State Office Building

Mailing Address:
1416 Marler Road
Pike Road, Alabama 36064
(334) 272-2657

Dear President George Bush:

I am a blind worker at the State Office building in Montgomery, Alabama. Violations of Federal Laws Title I, II, and 504 of the Americans with Disabilities Act (ADA); Violations of Alabama State Code 1975 §§ 21-1-40 and 21-9-9; 20 U. S. C. § 107 et. Seq, Job Discrimination, Intimidation, Slander, and Retaliation all have been committed against me by my employer and company management.

The Office for Civil Rights in Washington, DC and their Atlanta, Ga branch have heard my entire story and have already assured me that I definitely have a case and they have begun working on the Federal and State violations committed against me, but they said that I would have to seek an attorney to pursue the individuals/business at fault for a Civil suit to be filed. I have really met up against a brick wall because I have been unable to find an attorney in my state that is willing to file the lawsuit against the State of Alabama and all of those involved. I'm not sure what their fear is but I'm running out of options. If I don't get some help from up high soon I will no longer be able to work and provide for my family.

Please help. I can be reached at 334-272-2657. Send me your fax number so that I may send a few other details surrounding my case. Thank you.

Calvin Scott, Sr.

Blind Vendor; Gordon Person's State Office

Mailing Address: 1416 Marler Road

Pike Road, Alabama 36064 Phone: (334) 272-2657

Questions & Answer Session

1. How do I think they violated the Title I & II and 504 ADA laws?

Answer: I requested to be granted the same access as every other worker to my assigned work area and I was denied. In addition to that I requested to be given a handicapped parking space in the building parking area where I work and I asked the building facility supervisor to move one of my 300 pound snack machines to a more suitable area for business and they not only failed to accommodate but they then concocted a slanderous story about me in an effort to cause me to loose my place of employment within the State Office building where I have worked for over 9 years now. As the Federal ADA law is currently written, all of these constitute a violation of Titles I, II, and 504 of the Americans with Disabilities Act.

1416 Marler Road
Pike Road, Alabama 36064
(334) 272-2657 home
(334) 220-5234 cellular

Calvin Scott, Sr.

Fax

To: THAD McCLAMMY (D)

From: Calvin Scott, Sr.

Room 525-D

11 S. Union Street

Montgomery, AL 36130

Fax: (334) 284-5769 or (334) 353-3003

Pages: 4 including cover

Phone: (334) 242-7780

Date: 10/25/2005

Re: Letter to the Governor

CC:

Violation of Title I of the Americans with

Disabilities Act (ADA); Job Discrimination,

and Retaliation.

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

● **Comments:** Hi Thad McClammy! I'm sorry I missed your call earlier this morning. Thank you in advance for your time and assistance with this urgent matter.

Attached you find a copy of the letter that I sent to the Director of the Business Enterprise Program over the past couple of days.

I have run into corruption at the highest level of the State Rehabilitation Business Enterprise Program and need any assistance and guidance you can provide.

Thank you.

To Whom It May Concern:

The allegations written by James (Buddy) Swarengin are unfounded, false, and untrue.

On January 31, 2005 I asked BEP Director Ray Dennis and my BEP Representative Kenneth Green to assist me with acquiring the following three items:

1. a permanent electronic access card(swipe card)
2. removal and relocation of one snack machine to a better location
3. a handicapped parking space for the Blind Vendor

But to my surprise my BEP Director Ray Dennis and my BEP Representative Kenneth Green returned with an outrageous letter full of lies and contempt from the building Plant Supervisor James (Buddy) Swarengin which basically is another attempt to cause me to loose my position as a blind vendor in the Gordon Person's State Office Building.

Yours truly,
Calvin Scott, Sr.
Blind BEP Vendor
(334) 272-2657